

Entered -12-5-01 - sb  
CL 01L0767 - GWENDOLYN BURNS

CLAIM OF:

**PATRICIA CLAIBORNE**  
1897-A Lakewood Terrace, SE  
Atlanta, Georgia 30315

**02-*L*-1503**

For bodily injuries alleged to have been sustained after stepping into an uncovered meter in the sidewalk on November 9, 2001 at 1714 Jonesboro Road, NE.

THIS ADVERSED REPORT IS  
APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADVERSE REPORT SEP 16 2002

## ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: *9/16/02*

CHAIR: *[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

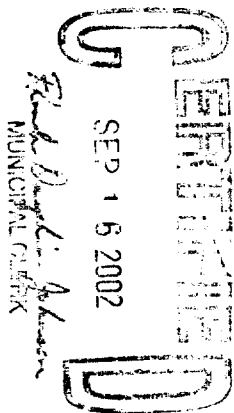
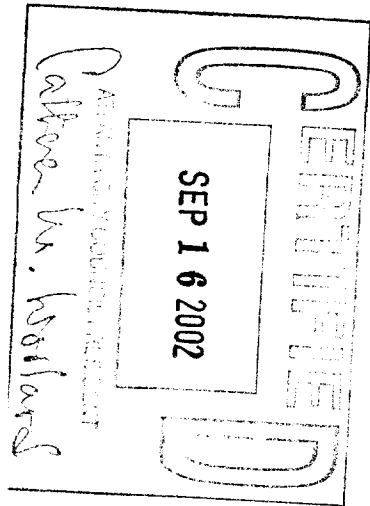
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## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

September 19, 2002

Patricia Claiborne  
1897-A Lakewood Terr., SE  
Atlanta, GA 30315

02-R-1503

Dear Ms. Claiborne:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 16, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 01L0767

Date: August 28, 2002

Claimant /Victim PATRICIA CLAIBORNE  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 1897-A Lakewood Terrance, SE, Atlanta, Georgia 30315  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ \_\_\_\_\_ Bodily Injury \$ unspecified  
Date of Notice: 11/26/01 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 11/19/01 Place: 1714 Jonesboro Road, SE  
Department \_\_\_\_\_ Division \_\_\_\_\_  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

**NATURE OF CLAIM:** Claimant alleges that she sustained bodily injuries when she stepped into an uncovered meter in the sidewalk. However, the claimant has failed to substantiate and pursue her claim.

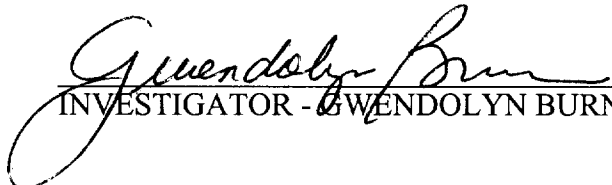
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other X  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_


**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial X  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned X

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2P01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 08-29-02  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 3984  
9/16/02  
2:03 PM

Atlanta City Council

Regular Session

CONSENT I                      Pgs. 1-14; except 02-O-1591; 02-O-1592  
                                 02-R-1589; 02-R-1540; 02-R-1542  
                                 ADOPT

YEAS:    14  
NAYS:    0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT    1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

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**09/16/02 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 02-O-1453  
2. 02-O-1586  
3. 02-O-1496  
4. 02-O-1389  
5. 02-O-1390  
6. 02-O-0791  
7. 02-O-1258  
8. 02-O-1298  
9. 02-O-1391  
10. 02-O-1395  
11. 02-O-1450  
12. 02-R-1535  
13. 02-R-1541  
14. 02-R-1546  
15. 02-R-1526  
16. 02-R-1527  
17. 02-R-1528  
18. 02-R-1529  
19. 02-R-1530  
20. 02-R-1531  
21. 02-R-1532  
22. 02-R-1560  
23. 02-R-1561  
24. 02-R-1615  
25. 02-R-1563  
26. 02-R-1564  
27. 02-R-1565  
28. 02-R-1566  
29. 02-R-1568  
30. 02-R-1569  
31. 02-R-1570  
32. 02-R-1572  
33. 02-R-1573  
34. 02-R-1574  
35. 02-R-1487  
36. 02-R-1533  
37. 02-R-1557  
38. 02-R-1558  
39. 02-R-1559  
40. 02-R-1616  
41. 02-R-1507  
42. 02-R-1508

**ITEMS ADVERSED  
ON CONSENT AGENDA**

43. 02-R-1509  
44. 02-R-1510  
45. 02-R-1502  
46. 02-R-1503  
47. 02-R-1504  
48. 02-R-1505  
49. 02-R-1506  
50. 02-R-1511  
51. 02-R-1512  
52. 02-R-1513  
53. 02-R-1514  
54. 02-R-1515  
55. 02-R-1516  
56. 02-R-1517  
57. 02-R-1518  
58. 02-R-1519  
59. 02-R-1520  
60. 02-R-1521  
61. 02-R-1522  
62. 02-R-1523  
63. 02-R-1524  
64. 02-R-1525

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Consent I Vote: 14Yeas; 0 Nays (See RCS #3984)

Items Removed from Consent: 02-O-1591; 02-O-1592; 02-R-1589; 02-O-1540; 02-R-1542